

Post-it® Fax Note 7671		Date	# of pages 2
To Shannon Peatross	From Paul Baker		
Co./Dept.	Co. OGM		
Phone #	Phone # 801-538-5261		
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IN REPORT

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State of Utah

Department of  
Natural Resources

ROBERT L. MORGAN  
Executive Director

Division of  
Oil, Gas & Mining

LOWELL P. BRAXTON  
Division Director

OLENE S. WALKER  
Governor

GAYLE F. McKEACHINIE  
Lieutenant Governor

October 12, 2004

Mr. Shannon Peatross  
Rock-It Stone Works  
P. O. Box 538  
Heber City, Utah 84032-0538

Subject: Deficient Amended Notice of Intention to Conduct Small Mining Operations, Rock-It Stone Works, Strawberry River Quarry, S/013/008, Duchesne County, Utah

Dear Mr. Peatross:

Thank you for sending your amended Notice of Intention to Commence Small Mining Operations (NOI), received by the Division October 4, 2004. As instructed, we will use the map I created from Global Positioning System data I gathered last March to go with your NOI.



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Heber City, Utah 84032-0538

Subject: Deficient Amended Notice of Intention to Conduct Small Mining Operations, Rock-It Stone Works, Strawberry River Quarry, S/013/008, Duchesne County, Utah

Dear Mr. Peatross:

Thank you for sending your amended Notice of Intention to Commence Small Mining Operations (NOI), received by the Division October 4, 2004. As instructed, we will use the map I created from Global Positioning System data I gathered last March to go with your NOI.

The primary reason for needing the amended NOI, other than to show the actual disturbed area, is to have accurate land ownership and right of entry information. Your amended NOI indicates the only land owner, both surface and mineral, is Bob Pinder, but according to the Duchesne County Recorder, the land in the extreme northeast corner of the southwest quarter of Section 16, Township 4 South, Range 7 West, USM, is owned by Else Marie and Peter M. VanderHooft of Salt Lake City. The area in question is where you built the road up the drainage.

I can write in the name of the land owner, but I need to know whether you have right of entry for the area and if you have notified the land owners. You are not actually mining this area, so, until you do, you should not need to acquire mineral rights.

The abatement for the second cessation order requires that you

“Submit right of entry information and a map as required in R647-3-104(2) and R647-3-105. The right of entry information must

Shannon Peatross  
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S/013/008  
October 12, 2004

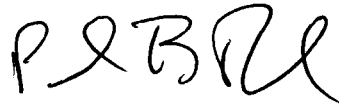
show that the operator has the right to enter and begin mining operations in the areas affected by mining.”

Since you have not submitted this information for the VanderHooft property, the cessation order has not yet been fully abated.

If you do not have right of entry for this area, you will need to either obtain that right of entry or immediately reclaim it. If you do have right of entry, you need to provide this information.

In either case, ***I strongly suggest that you request additional time to complete abatement of the cessation order.*** Please call me at 801-538-5261 if you need clarification about this issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'PBB', with a stylized flourish at the end.

Paul B. Baker  
Senior Reclamation Biologist  
Minerals Regulatory Program